

From: Paul Cox
To: Microsoft ATR
Date: 1/23/02 1:18pm
Subject: Microsoft Settlement

I am writing to voice support for a stonger DOJ final judgement in response to Microsoft's anticompetitive practices.

Microsoft's established domination in the desktop market is now slowly working it's way into other software markets: digital media distribution, embedded appliances, video game and television entertainment, and others. Certainly "innovation" should be permitted and even encouraged, but leveraging on an established monopoly to raise its new products and services above normal market forces is beneficial only to those who gain wealth by the enlarged monopoly. The consumer, the market, and real innovation suffers. If the remedy the court seeks does not sanction on the court's own terms, the anticompetitive practices that Microsoft continues to this day, the effort will be worst than futile. A weak final judgement will say to Microsoft and other present and future monopolists that gaining a illegal monopoly has it's collateral damage, but the effort is worthwhile and sustainable. That could have a terrible effect on our free market system.

All of the terms in the settlement should be defined purely by DOJ and not negotiated by Microsoft. The DOJ should be "breathing down their necks" for years after the settlement to ensure that Microsoft is in compliance and the burden should be on Microsoft to show immediately and completely that they have not repeated their illegal conduct. And the punishment from wavering from the law a second time should be established in this final judgement; and it should be severe, all-encompassing and swift.

Please revise the proposed final judgement based on the following issues:

- * The PFJ doesn't take into account Windows-compatible competing operating systems* The PFJ Fails to Prohibit Anticompetitive License Terms currently used by Microsoft
- * The PFJ Contains Misleading and Overly Narrow Definitions and Provisions
- * The PFJ Fails to Prohibit Intentional Incompatibilities Historically Used by Microsoft
- * The PFJ Fails to Prohibit Anticompetitive Practices Towards OEMs

Thanks for your time,

Paul Cox